

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 27292 of 2007

Date: 24.12.2007

Between:

M. Kondala Rao and others.

..... PETITIONERS

AND

The Government of A.P., rep. by the Principal Secretary,
General Administration (Services Welfare-I) Department,
Secretariat Buildings, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 27292 of 2007

Order:

The petitioners claim to be members of respondent No.3-Association. They state that as per G.O. Ms. No. 796, General Administration (Service Welfare-I) Department, dated 19.12.2006, issued by the Government, respondent Nos. 2 and 3-Associations have to conduct general body meetings regularly and submit income and expenditure statements to the Executive Committees. They state that as respondent Nos. 2 and 3 in terms of the afore said G.O. failed to conduct the general body meetings, they made a representation dated 18.10.2007 requesting the President of respondent No.2-Association to take necessary action in the matter, and as no action thereon had been taken, they filed the present writ petition.

Heard the learned counsel for the petitioners and the learned Government Pleader for General Administration.

Respondent Nos.2 and 3-Associations, against which the petitioners are seeking directions, is neither a State nor an instrumentality of the State nor local or other authorities, falling within the definition of "the State" as defined under Article 12 of the Constitution of India, and as such, the writ petition filed against them is not maintainable. However, since the Associations are societies registered under the provisions of the A.P. Co-operative Societies Act, 1964, the remedy of the petitioners as against the non-implementation of the G.O.s. by respondent Nos. 2 and 3-Associations, is to approach the

authorities concerned under the A.P. Co-operative Societies Act, 1964.

Hence, the writ petition is not maintainable and the same is accordingly dismissed.

N.V. RAMANA, J.

Date: 24.12.2007

Nsr